



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE for PERMIT APPLICATION

PORSF
11.3.31.5.1
V4

30 Day Notice

Issue Date: June 21, 1995
Expiration Date: July 21, 1995
Corps of Engineers Action ID: 95-534
Oregon Division of State Lands Number: RF-9836

Interested parties are hereby notified that application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

COMMENTS: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENPP-OP-GP (Linton)
P.O. Box 2946
Portland, Oregon 97208-2946

APPLICANT: Port of Portland

LOCATION: Terminal 5 located at 15550 N. Lombard in the Rivergate Industrial Area, Willamette River Mile 2.0 (Sections 23 and 26, T2N, R1W), in Portland, Multnomah County, Oregon.

PROJECT DESCRIPTION: Place approximately 120,000 cubic yards of sand into 12.49 acres of wetlands consisting of 2.23 acres of emergent (PEM), 2.07 acres of scrub/shrub (PSS), 2.23 acres of forested (PFO), 1.01 acres of scrub/shrub and emergent combination (PSS/EM), and 4.95 acres of open water (POW) habitats. The wetlands to be filled under this proposal are shown on sheet 2. The 2.23 acre forested wetland is part of a 4 acre forested wetland located at the southern boundary of the site. The 4.95 acre open water pond has water quality problems (high pH) resulting from past practices on the adjacent property.

The proposed site was formerly the location of the Pacific Coal Terminal; construction of the coal facility was halted in 1982 at 80 percent completion. Existing site improvements dating from the coal facility include a concrete dock (Berth 503), rotary rail car dumper, conveyor systems, stormwater treatment pond and coal handling equipment. All of these improvements will be completed and put to their original use. Additional construction is required to complete the facility for the handling of potash fertilizer and other materials. The major improvements include: construction of a double rail loop for handling unit trains, a maintenance shop and office space, a new rail car dumper pit, dust control and water treatment facilities, and a 100,000 ton capacity potash storage building.

CONCEPTUAL MITIGATION: The applicant proposes to compensate for the loss of wetlands at the T-5 site by restoring wetlands on Port property in the South Rivergate Industrial Area between the Willamette River, N. Rivergate Boulevard, and the Rivergate access road (see sheet 1). The area was part of a wetland complex along the Willamette River in the historic Ramsey Lake area and was filled

USEPA SF



1286369

- a. The mitigation shall be accomplished prior to or concurrently with the fill activity.
- b. All areas along the bank, disturbed or newly created by the construction activity, shall be seeded, sodded, revegetated, or given some other equivalent type of protection against subsequent erosion.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Waiver will be deemed to occur if the certifying state fails or refuses to act on the request for certification within 60 days. Attached is the state's notice advertising the request for certification.

SECTION 404(b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

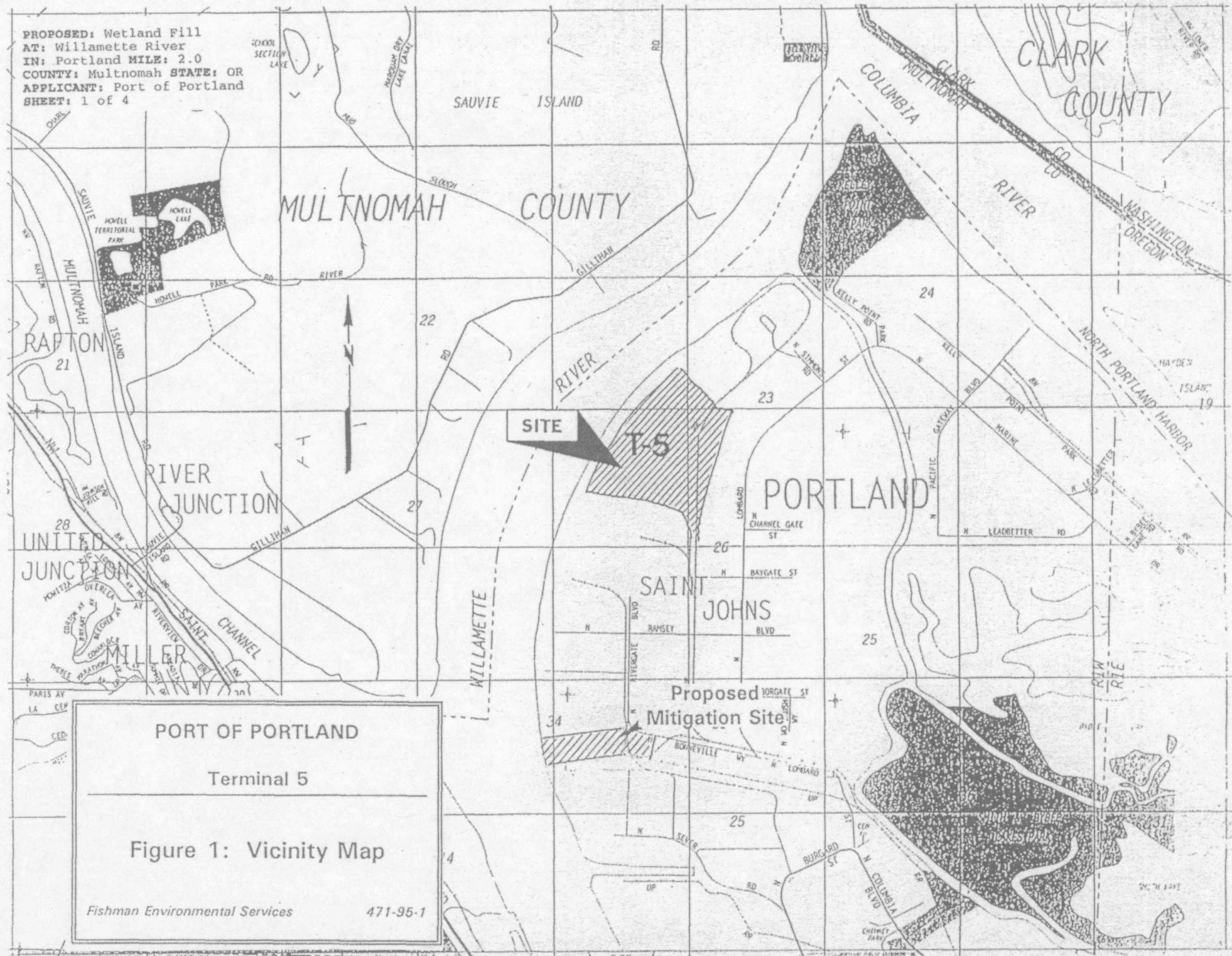
ENDANGERED SPECIES: Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

CULTURAL RESOURCES: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

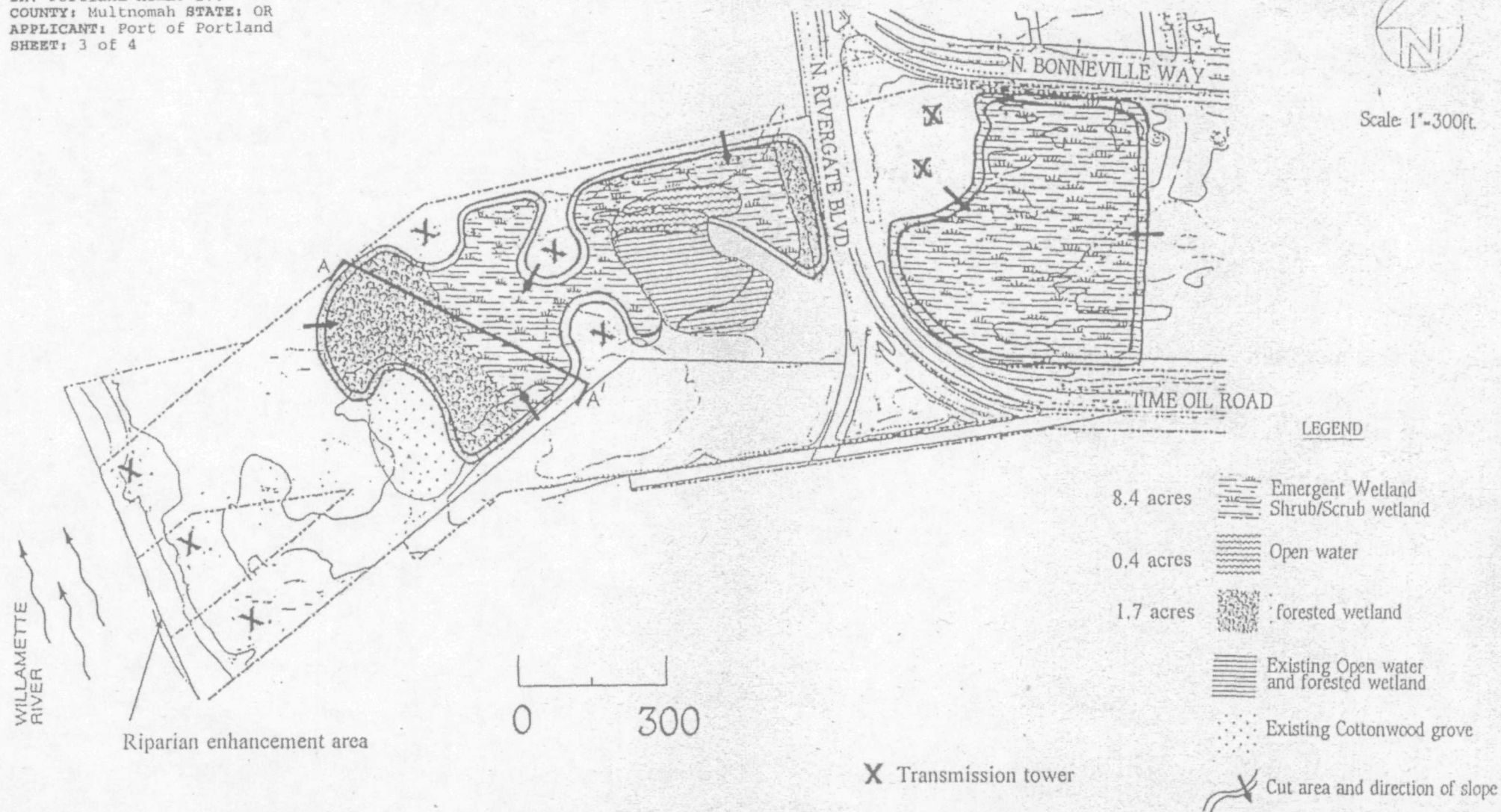
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this

PROPOSED: Wetland Fill
 AT: Willamette River
 IN: Portland MILE: 2.0
 COUNTY: Multnomah STATE: OR
 APPLICANT: Port of Portland
 SHEET: 1 of 4



PROPOSED: Wetland Fill
AT: Willamette River
IN: Portland MILE: 2.0
COUNTY: Multnomah STATE: OR
APPLICANT: Port of Portland
SHEET: 3 of 4

[illegible]

Date: June 21, 1995

Public Notice

The following shall constitute public notice by the State of Oregon that the Department of Environmental Quality, pursuant to the requirements of Section 401 of the Federal Clean Water Act of 1977, PL 95-217 has been requested to certify there is reasonable assurance that the project described in Corps of Engineers Public Notice Number 199500534 will not violate applicable water quality standards. Comments regarding possible water quality effects of the proposed project shall be sent within 30 days to the Department of Environmental Quality, Water Quality Division 811 S. W. 6th Avenue, Portland, OR 97204.

SA\WC7699 (1/17/91)



811 SW Sixth Avenue
Portland, OR 97204-1391
(503) 229-5696

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OR 97208-2946

OFFICIAL BUSINESS

ACTION ID#199500534
PORT OF PORTLAND
ATTN BOB HRDLICKA
PO BOX 3529
PORTLAND, OR 97208

